FORM PTO-1083
Mail Stop: APPEAL BRIEF - PATENTS
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

OIPE JUL 09 2007 PATENT & TRADEMARK OFFICE

Docket No.: 331.1052
Date: July 6, 2007

In re application of:	Denis Reibel, et al.
Serial No.:	10/730,795
Filed:	December 9, 2003
For:	**METHOD FOR MANUFACTURING A FABRIC FROM AT LEAST PARTIALLY SPLIT YARNS , FIBERS OR FILAMENTS**

S i r:

Transmitted herewith is an **Appellant's Brief Under 37 C.F.R. §41.37 (21 pages)** in the above-identified application.

☒ Also transmitted herewith are:
- ☐ Petition for extension under 37 C.F.R. 1.136
- ☒ Return Receipt Postcard
- ☐ Other:

☒ Check(s) in the amount of **$500.00** is/are attached to cover:
- ☐ Filing fee for additional claims under 37 C.F.R. 1.16
- ☐ Petition fee for extension under 37 C.F.R. 1.136
- ☒ Other: **Fee for Filing a Brief in Support of an Appeal under 37 C.F.R.§41.02(b)(2)**
- ☐ Other:

☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

William C. Gehris, Reg. No. 38,156

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: APPEAL BRIEF-PATENTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on July 06,2007.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: Sunil Raval
Sunil Raval

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant:	**Denis REIBEL, et al.**	Examiner:	Leo B. Tentoni
Application No.:	10/730,795	Confirmation No.:	2686
Filing Date:	December 9, 2003	Art Unit:	1732
Customer No.:	23280	Attorney Docket:	331.1052

Title: **METHOD FOR MANUFACTURING A FABRIC FROM AT LEAST PARTIALLY SPLIT YARNS, FIBERS OR FILAMENTS**

Mail Stop: APPEAL BRIEF – PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 6, 2007

APPELLANT'S BRIEF UNDER 37 C.F.R. § 41.37

Sir:

Appellant submits this brief for the consideration by the Board of Patent Appeals and Interferences (the "Board") in support of his appeal of the Final Rejection dated February 7, 2007 in this application. The statutory fee of $500.00 for filing an appeal brief is paid concurrently herewith.

I. REAL PARTY IN INTEREST

The real party in interest is Carl Freudenberg KG, a corporation having a place of business in Weinheim, Germany.

II. RELATED APPEALS AND INTERFERENCES

Appellant, his legal representatives, and assignee are not aware of any appeal, interference or judicial proceeding that directly affects, will be directly affected by, or will have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Claims 1 to 13 are pending. Claims 1 to 13 have been finally rejected as per the Final Office Action dated February 7, 2007.

The rejection to claims 1 to 13 thus is appealed. A copy of appealed claims 1 to 13 is attached hereto as Appendix A.

IV. STATUS OF AMENDMENTS AFTER FINAL

No amendments to the claims were filed after the final rejection. An advisory action was mailed on April 23, 2007. A Notice of Appeal was filed on May 3, 2007 and received by the U.S.P.T.O. on May 7, 2007.

SUMMARY OF THE CLAIMED SUBJECT MATTER

Independent claim 1 recites a method for manufacturing a fabric from yarns, fibers or filaments, including first elementary filaments of a first polymer and second elementary filaments of a second polymer, the method comprising:

receiving the yarns, fibers or filaments, from a common spinneret (i.e. specification, see paragraph [0005], page 2, lines 1 to3);

forming the yarns, fibers or filaments into a single first fabric (i.e. specification, see paragraph [0005], page 2, lines 3 to 4);

compressing the first fabric to a density of at least 10% of a density of the first polymer (i.e. specification, see paragraph [0005], page 2, lines 4 to 6), the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer (i.e. specification, see paragraph [0005], page 2, lines 4 to 5); and

subsequently applying a further mechanical force so as to cause an at least partial splitting of the yarns, fibers or filaments into the first and second elementary filaments (i.e. specification, see paragraph [0005], page 2, lines 6 to 7).

V. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1 to 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over either Talley, Jr. et al. (U.S. Patent No. 6,767,498 B1), Wagner et al. (U.S. Patent No. 6,838,043), or Dugan et al. (U.S. Publication No. 2003/0062658), in combination with Kato (U.S. Patent No. 4,908,176).

VI. ARGUMENTS

A. Rejections under 35 U.S.C. § 103(a)

Rejections under 35 U.S.C. 103(a)- Talley, Jr. et al., U.S. Patent No. 6,767,498 in combination with Kato U.S. Patent No. 4,908,176.

Claims 1 to 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Talley, Jr. et al., U.S. Patent No. 6,767,498 in combination with Kato (U.S. Patent No. 4,908,176).

Talley Jr. et al. discloses multicomponent filaments or fibers that "can be formed into a fabric structure, and the multicomponent fibers split during or after fabric formation. For example, staple fiber can be fed into a carding apparatus to form a carded layer." (See col. 14, lines 29-33). The "nonwoven web can be formed into a unitary coherent nonwoven fabric and thereafter thermally treated to split the fibers." (See col. 16, lines 18 to 20). Additionally, if complete splitting of the multicomponent fibers is not achieved via thermal treatment additional splitting can be achieved by the simple working of the yarn or fabric. "For example, the yarn or fabric can be placed under tension to re-stretch the elastomeric filaments and then released to cause the elastomeric filaments to relax." (See col. 16, lines 60 to 64).

Kato discloses "coating or impregnating a mat made of non-woven fabrics with an aqueous emulsion of a thermoplastic resin having a moldable temperature range of 80 to 180°C in such an amount that the solids content of the emulsion is 15 to 300 wt% based on the weight of the fiber in the non-woven fabric mat, heating and drying the mat to remove water, and then compressing the non-woven fabric mat to control the apparent density of the mat to 0.15 to 0.5 g/cm^3." (See col. 2, lines 50 to 59).

Claim 1 one of the present application provides a method for manufacturing a fabric from yarns, fibers or filaments, including first elementary filaments of a first polymer and second elementary filaments of a second polymer, the method comprising:

receiving the yarns, fibers or filaments, from a common spinneret;

forming the yarns, fibers or filaments into a single first fabric;

compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer; and

subsequently applying a further mechanical force so as to cause an at least partial splitting of the yarns, fibers or filaments into the first and second elementary filaments.

In addition to a melting point, T_m, above which all the crystalline structure of thermoplastic polymers disappear, thermoplastics also have a second lower glass transition temperature, T_g. Above T_g, thermoplastic polymers becomes rubbery and capable of elastic or plastic deformation without fracture.

Kato discloses that in controlling the apparent density during compression, it is convenient that a mixture of a thermoplastic resin and of synthetic or natural fibers having a melting point of more than 40 degrees Celsius higher than that of the thermoplastic resin is used as one of the materials for the non-woven fabric mat. See Kato, col. 3, lines 8 to 14. The thermoplastic resin for the emulsion used for impregnation of the fiber mat has a moldable temperature range (glass transition point) of 80 degrees Celsius or more, preferably 120 to 180 degrees Celsius. See Kato, col. 3, lines 33 to 35. In Kato, the fiber mat with the emulsion coated or impregnated is heated to a temperature <u>higher than the melting point of the emulsion resin</u> to remove the moisture, whereupon the moldable non-woven fabrics having an apparent density of 0.15 to 0.5 g/cm^3, preferably 0.17 to 0.3 g/cm^3, can be obtained. See Kato, col. 4, lines 1 to 6 and claim 1. Therefore the desired density of the fabric of Kato is achieved by heating the emulsion resin beyond its melting point. Kato does not provide a glass transition temperature of the fibers.

Therefore, Kato does not show "compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer" as in claim 1 of the present invention. What is the asserted first polymer and what is its glass transition temperature?

It is also respectfully submitted that it would not have been obvious to one of skill in the art to have provided any compressing step in view of Talley, Jr. or Kato *prior* to the applying step as recited in claim 1 of the present application.

Moreover, the claimed amount of compression is not disclosed in Kato or Talley.

Withdrawal of the rejections to the claims under 35 U.S.C. §103(a) is respectfully requested.

Talley, Jr. et al in combination with Kato - Rejection of Claim 4 Argued Separately

With further respect to claim 4, claim recites that "the compressing is performed to a density of at least 15% of the density of the first polymer."

There is absolutely no teaching or disclosure in Talley, Jr. or Kato that the compressing is performed to a density of at least 15% of the density of the first polymer, as recited in claim 4.

Withdrawal of the rejections to claim 4 is respectfully requested.

Talley, Jr. et al in combination with Kato - Rejection of Claim 5 Argued Separately

With further respect to claim 5, claim recites that "the compressing is performed using a roll calender."

There is absolutely no teaching or disclosure in Talley, Jr. or Kato that the compressing is performed using a roll calender, as recited in claim 5.

Withdrawal of the rejections to claim 5 is respectfully requested.

Talley, Jr. et al in combination with Kato - Rejection of Claim 10 Argued Separately

With further respect to claim 10, claim recites that "the first and second elementary filaments are micro-elementary filaments and the first and second polymers are compatible polymer pairs."

There is absolutely no teaching or disclosure in Talley, Jr. or Kato that the first and second elementary filaments are micro-elementary filaments and the first and second polymers are compatible polymer pairs, as recited in claim 10.

Withdrawal of the rejections to claim 10 is respectfully requested.

Rejections under 35 U.S.C. 103(a)- Wagner et al., U.S. Patent No. 6,838,043 in combination with Kato U.S. Patent No. 4,908,176.

Claims 1 to 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wagner et al., U.S. Patent No. 6,838,043 in combination with Kato U.S. Patent No. 4,908,176.

Wagner et al. discloses a "process for the production of a synthetic leather, includes the steps that multi-component endless filaments are spun from the melt, aerodynamically stretched, and immediately deposited to form a nonwoven layer, that preliminary bonding takes place, and that the nonwoven fabric is bonded by high-pressure fluid jets and, at the same time, split into supermicro endless filaments with a titer < 0.2 dtex, and subsequently impregnated and/or coated with a polymer." (See col. 2, lines 24 to 33).

Kato discloses "coating or impregnating a mat made of non-woven fabrics with an aqueous emulsion of a thermoplastic resin having a moldable temperature range of 80 to 180°C in such an amount that the solids content of the emulsion is 15 to 300 wt% based on the weight of the fiber in the non-woven fabric mat, heating and drying the mat to remove water, and then compressing the non-woven fabric mat to control the apparent density of the mat to 0.15 to 0.5 g/cm^3." (See col. 2, lines 50 to 59).

Claim 1 one of the present application provides a method for manufacturing a fabric from yarns, fibers or filaments, including first elementary filaments of a first polymer and second elementary filaments of a second polymer, the method comprising:

receiving the yarns, fibers or filaments, from a common spinneret;

forming the yarns, fibers or filaments into a single first fabric;

compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer; and

subsequently applying a further mechanical force so as to cause an at least partial splitting of the yarns, fibers or filaments into the first and second elementary filaments.

Wagner et al. does not disclose "compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer."

In addition to a melting point, T_m, above which all the crystalline structure of

thermoplastic polymers disappear, thermoplastics also have a second lower glass transition temperature, T_g. Above T_g, thermoplastic polymers becomes rubbery and capable of elastic or plastic deformation without fracture.

Kato discloses that in controlling the apparent density during compression, it is convenient that a mixture of a thermoplastic resin and of synthetic or natural fibers having a melting point of more than 40 degrees Celsius higher than that of the thermoplastic resin is used as one of the materials for the non-woven fabric mat. See Kato, col. 3, lines 8 to 14. The thermoplastic resin for the emulsion used for impregnation of the fiber mat has a moldable temperature range (glass transition point) of 80 degrees Celsius or more, preferably 120 to 180 degrees Celsius. See Kato, col. 3, lines 33 to 35. In Kato, the fiber mat with the emulsion coated or impregnated is heated to a temperature higher than the melting point of the emulsion resin to remove the moisture, whereupon the moldable non-woven fabrics having an apparent density of 0.15 to 0.5 g/cm^3, preferably 0.17 to 0.3 g/cm^3, can be obtained. See Kato, col. 4, lines 1 to 6 and claim 1. Therefore the desired density of the fabric of Kato is achieved by heating the emulsion resin beyond its melting point. Kato does not provide a glass transition temperature of the fibers.

Therefore, Kato does not show "compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer" as in claim 1 of the present invention. What is the asserted first polymer and what is its glass transition temperature?

It is also respectfully submitted that it would not have been obvious to one of skill in the art to have provided any compressing step in view of Wagner or Kato *prior* to the applying step as recited in claim 1 of the present application.

Moreover, the claimed amount of compression is not disclosed in Kato or Wagner.

Withdrawal of the rejections to the claims under 35 U.S.C. §103(a) is respectfully requested.

Wagner et al in combination with Kato - Rejection of Claim 2 Argued Separately

With further respect to claim 2, claim recites that "the applying of the further mechanical force is performed at a temperature of at least 10°C below a melting temperature of the first polymer."

There is absolutely no teaching or disclosure in Wagner, et al. or Kato of applying a further mechanical force performed at a temperature of at least 10°C below a melting temperature of the first polymer, as recited in claim 2.

Withdrawal of the rejections to claim 2 is respectfully requested.

Wagner et al in combination with Kato - Rejection of Claim 4 Argued Separately

With further respect to claim 4, claim recites that "the compressing is performed to a density of at least 15% of the density of the first polymer."

There is absolutely no teaching or disclosure in Wagner or Kato that the compressing is performed to a density of at least 15% of the density of the first polymer, as recited in claim 4.

Withdrawal of the rejections to claim 4 is respectfully requested.

Wagner et al in combination with Kato - Rejection of Claim 5 Argued Separately

With further respect to claim 5, claim recites that "the compressing is performed using a roll calender."

There is absolutely no teaching or disclosure in Wagner or Kato. that the compressing is performed using a roll calender, as recited in claim 5.

Withdrawal of the rejections to claim 5 is respectfully request.

Wagner et al in combination with Kato - Rejection of Claim 9 Argued Separately

With further respect to claim 9, claim recites that "the yarns, fibers or filaments include staple fibers."

There is absolutely no teaching or disclosure in Wagner or Kato that the yarns, fibers or filaments include staple fibers, as recited in claim 9.

Withdrawal of the rejections to claim 9 is respectfully requested.

Wagner et al in combination with Kato - Rejection of Claim 10 Argued Separately

With further respect to claim 10, claim recites that "the first and second elementary filaments are micro-elementary filaments and the first and second polymers are compatible polymer pairs."

There is absolutely no teaching or disclosure in Wagner or Kato that the first and second elementary filaments are micro-elementary filaments and the first and second polymers are compatible polymer pairs, as recited in claim 10.

Withdrawal of the rejections to claim 10 is respectfully requested.

Rejections under 35 U.S.C. 103(a)- Dugan et al., U.S. Publication No. 2003/0062658 in combination with Kato, U.S. Patent No. 4,908,176

Claims 1 to 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over either Dugan et al., U.S. Publication No. 2003/0062658 in combination with Kato, U.S. Patent No. 4,908,176.

Dugan et al. discloses a fabric formation process used "to dissociate the multicomponent fiber into microfilaments. Stated differently, forces applied to the multicomponent fibers of the invention during fabric formation in effect split or dissociate the polymer components to form microfilaments." "The hydroentangling process used to form the nonwoven fabric dissociates the composite fiber." (See paragraph [0063]).

Kato discloses "coating or impregnating a mat made of non-woven fabrics with an aqueous emulsion of a thermoplastic resin having a moldable temperature range of 80 to 180°C in such an amount that the solids content of the emulsion is 15 to 300 wt% based on the weight of the fiber in the non-woven fabric mat, heating and drying the mat to remove water, and then compressing the non-woven fabric mat to control the apparent density of the mat to 0.15 to 0.5 g/cm^3." (See col. 2, lines 50 to 59).

Claim 1 one of the present application provides a method for manufacturing a fabric from yarns, fibers or filaments, including first elementary filaments of a first polymer and second elementary filaments of a second polymer, the method comprising:

receiving the yarns, fibers or filaments, from a common spinneret;

forming the yarns, fibers or filaments into a single first fabric;

compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer; and

subsequently applying a further mechanical force so as to cause an at least partial splitting of the yarns, fibers or filaments into the first and second elementary filaments.

Neither Dugan et al. nor Kato, U.S. Patent No. 4,908,176 discloses "compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer."

In addition to a melting point, T_m, above which all the crystalline structure of thermoplastic polymers disappear, thermoplastics also have a second lower glass transition temperature, T_g. Above T_g, thermoplastic polymers becomes rubbery and capable of elastic or plastic deformation without fracture.

Kato discloses that in controlling the apparent density during compression, it is convenient that a mixture of a thermoplastic resin and of synthetic or natural fibers having a melting point of more than 40 degrees Celsius higher than that of the thermoplastic resin is used as one of the materials for the non-woven fabric mat. See Kato, col. 3, lines 8 to 14. The thermoplastic resin for the emulsion used for impregnation of the fiber mat has a moldable temperature range (glass transition point) of 80 degrees Celsius or more, preferably 120 to 180 degrees Celsius. See Kato, col. 3, lines 33 to 35. In Kato, the fiber mat with the emulsion coated or impregnated is heated to a temperature higher than the melting point of the emulsion resin to remove the moisture, whereupon the moldable non-woven fabrics having an apparent density of 0.15 to 0.5 g/cm^3, preferably 0.17 to 0.3 g/cm^3, can be obtained. See Kato, col. 4, lines 1 to 6 and claim 1. Therefore the desired density of the fabric of Kato is achieved by heating the emulsion resin beyond its melting point. Kato does not provide a glass transition temperature of the fibers.

Therefore, Kato does not show "compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer" as in claim 1 of the

present invention. What is the asserted first polymer and what is its glass transition temperature?

It is also respectfully submitted that it would not have been obvious to one of skill in the art to have provided any compressing step in view of Dugan or Kato *prior* to the applying step as recited in claim 1 of the present application.

Moreover, the claimed amount of compression is not disclosed in Kato or Dugan.

Withdrawal of the rejections to the claims under 35 U.S.C. §103(a) is respectfully requested.

Dugan et al.- Rejection of Claim 4 Argued Separately

With further respect to claim 4, claim recites that "the compressing is performed to a density of at least 15% of the density of the first polymer."

There is absolutely no teaching or disclosure in Dugan or Kato that the compressing is performed to a density of at least 15% of the density of the first polymer, as recited in claim 4.

Withdrawal of the rejections to claim 4 is respectfully requested.

Dugan- Rejection of Claim 5 Argued Separately

With further respect to claim 5, claim recites that "the compressing is performed using a roll calender."

There is absolutely no teaching or disclosure in Dugan et al. or Kato that the compressing is performed using a roll calender, as recited in claim 5.

Withdrawal of the rejections to claim 5 is respectfully requested.

Dugan et al.- Rejection of Claim 10 Argued Separately

With further respect to claim 10, claim recites that "the first and second elementary filaments are micro-elementary filaments and the first and second polymers are compatible polymer pairs."

There is absolutely no teaching or disclosure in Dugan or Kato that the first and second elementary filaments are micro-elementary filaments and the first and second polymers are compatible polymer pairs, as recited in claim 10.

Withdrawal of the rejections to claim 10 is respectfully requested.

CONCLUSION

It is respectfully submitted that the application is in condition for allowance. Favorable consideration of this appeal brief is respectfully requested.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: ______________________________
William C. Gehris
(Reg. No. 38,156)

DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, NY 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

APPENDIX A:

APPEALED CLAIMS 1 to 13 of
U.S. APPLICATION SERIAL NO. 10/730,795

Claim 1 (original): A method for manufacturing a fabric from yarns, fibers or filaments, including first elementary filaments of a first polymer and second elementary filaments of a second polymer, the method comprising:

receiving the yarns, fibers or filaments, from a common spinneret;

forming the yarns, fibers or filaments into a single first fabric;

compressing the first fabric to a density of at least 10% of a density of the first polymer, the compressing being performed at a temperature between a glass transition temperature and a melting temperature of the first polymer; and

subsequently applying a further mechanical force so as to cause an at least partial splitting of the yarns, fibers or filaments into the first and second elementary filaments.

Claim 2 (original): The method as recited in claim 1, wherein the applying of the further mechanical force is performed at a temperature of at least 10°C below a melting temperature of the first polymer.

Claim 3 (original): The method as recited in claim 2, wherein the melting temperature of the first polymer is equal to or lower than a melting temperature of the second polymer.

Claim 4 (original): The method as recited in claim 1, wherein the compressing is performed to a density of at least 15% of the density of the first polymer.

Claim 5 (original): The method as recited in claim 1, wherein the compressing is performed using a roll calender.

Claim 6 (original): The method as recited in claim 1, wherein the applying of the further mechanical force includes applying a hydrofluid treatment at a pressure of 120 to 500 bar.

Claim 7 (original): The method as recited in claim 1, wherein the first and second elementary filaments are elementary microfilaments.

Claim 8 (original): The method as recited in claim 1, wherein the yarns, fibers or filaments include melt-spun filaments.

Claim 9 (original): The method as recited in claim 1, wherein the yarns, fibers or filaments include staple fibers.

Claim 10 (original): The method as recited in claim 1, wherein the first and second elementary filaments are micro-elementary filaments and the first and second polymers are compatible polymer pairs.

Claim 11 (original): The method as recited in claim 10, wherein the first and second polymers are selected from the group consisting of: polyethylene/polypropylene; polyethylene terephthalate/polybutylene terephthalate; polyethylene terephthalate/polytrimethylene terephthalate; polyethylene terephthalate/recycled polyester; polyethylene terephthalate/polylactate; polyester/copolyester; polyamide/copolyamide; polyamide 6/polyamide 66; and polyamide 6/polyamide 12.

Claim 12 (original): The method as recited in claim 1, wherein the first and second elementary fibers include micro-elementary filaments and the first and second polymers are incompatible polymer pairs.

Claim 13 (original): The method as recited in claim 12, wherein the first and second polymers are selected from the group consisting of: polyester/polyamide; copolyester/copolyamide; polyethylene terephthalate/polyamide; and recycled polyester/polyamide.

APPENDIX B

Evidence Appendix under 37 C.F.R. §41.37 (c) (ix):

No evidence pursuant to 37 C.F.R. §§1.130, 1.131 or 1.132 and relied upon in the appeal has been submitted by appellants or entered by the examiner.

APPENDIX C

Related proceedings appendix under 37 C.F.R. §41.37 (c) (x):

As stated in "II. RELATED APPEALS AND INTERFERENCES" of this appeal brief, appellants, their legal representatives, and assignee are not aware of any appeal or interference that directly affects, will be directly affected by, or will have a bearing on the Board's decision in this appeal.